



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST-NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,257	01/26/2001	Balaji S. Holur	062891.0510	8120

7590

01/19/2005

Tara D. Knapp
Baker Botts L.L.P.
Suite 800
2001 Ross Avenue
Dallas, TX 75201

EXAMINER

VU, VIET DUY

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,257

Applicant(s)

HOLUR ET AL.

Examiner

Viet Vu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) 65-70 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46, 48-54, 56-62 and 64 is/are rejected.
- 7) ☒ Claim(s) 47, 55 and 63 is/are objected to.
- 8) ☒ Claim(s) 65-70 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2154

1. Applicant is required to cancel non-elected claims 65-70 in the next correspondence.

Art Rejections:

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1, 10-11, 20-21, 30-31 and 40 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bhatia et al, U.S. pat. Appl. Pub. No. 2002/0037744.

Bhatia discloses a system and method for providing service access to a wireless network comprising:

Art Unit: 2154

- a) generating at a client application a request for a network session (see page 4, par. 55 and page 7, par. 93),
- b) determining allowability of the session based on a service agreement stored in a local database (645) without accessing external resources (see page 9, par. 107).

4. The text of 35 USC 103(a) not cited here can be found in the previous office action.

5. Claims 2-9, 12-19, 22-29, 32-39, 41-46, 48-54, 56-62 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhatia and further in view of Griffith, U.S. pat. Appl. Pub. No. 2002/0065064.

Per claims 2-4, Bhatia does not explicitly teach storing session information at telecommunication gateway. Griffith teaches storing/saving a data session established between a mobile device and information provider, e.g., web server, at a gateway or access point to enable a seamless reconnection of communications and retransmission of data to the mobile device without requiring the mobile device to re-login or create a new session with the server (see Griffith's page 2, par. 27 and page 6, par. 74-75).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bhatia with

Art Unit: 2154

Griffith's teachings because it would have enabled speeding up data transfers and reducing processing loads on the system (see Griffith's page 2, par. 29).

Per claim 5, Bhatia also teaches accessing external resources for user's data using any conventional communication channels (see page 9, par. 103).

Per claims 6-9, it is noted that the use of handshaking/negotiation signals including discovery and advertisement messages in wireless communications is well known in the art.

Claims 12-19, 22-29 and 32-39 are similar in scope as that of claims 2-9 and hence are rejected for the same rationale set forth above for claims 2-9.

Per claims 41-46, 48-54, 56-62 and 64, it is also noted that Bhatia's teachings are also applied for mobile device traveling out side of its home area.

Allowable Subject Matter:

6. Claims 47, 55, and 63 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2154

Response to Arguments:

7. Applicant's arguments filed 10/4/04 are moot in view of new grounds of rejection set forth above.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Thursday from 8:00am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU
PRIMARY EXAMINER

Art Unit 2154

1/14/05